THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 14060 of 2007

Date:03-07-2007

Between:

Mrs. Maher Banu Gillani ..
PETITIONER

AND

S.Chandrasekhar Reddy, Inspector of Police, Narayanaguda and 7 others

..
RESPONDENTS

ORDER:

The petitioner seeks a writ of mandamus directing the respondents to act in accordance with law and not to interfere in the dispute of civil nature between the petitioner and respondent No.5.

It is the case of the petitioner that she purchased the entire ground floor along with two car parking places in the Sudheer Tapani Towers bearing MCH NO.3-6-271 (Old No. A-10-271) admeasuring 3,450 square feet including common areas along with 90 square yards of undivided share in the land for a valid consideration through a registered sale deed from the

5th respondent and her two daughters through their general power of attorney holder M.Ravinder Reddy through a registered sale deed executed on 16.09.2006.

It is the case of the petitioner that on a complaint made by the 5th respondent, the police, Narayanaguda registered the case in Crime No.213 of 2007, dated 16.06.2007 against the said M.Ravinder Reddy, developer of the said property as well as the petitioner herein who is the purchaser of the said ground floor for the offence under Section 420 I.P.C. It is stated that while the investigation is in progress, the police are interfering with the civil disputes over the said property.

It is further stated that insofar as the criminal action, which was already initiated, it has to take its own legal recourse, but under the guise of criminal case, the police cannot interfere with the civil rights of the petitioner. It is further stated that after registering the case, the respondents 1 to 3 and others came to the said property of the petitioner on 23.06.2007, 25.07.2007 and 26.06.2007 and forced the petitioner and her husband to compromise the matter and also threatened them to book in some false criminal cases and harass

them.

I am not inclined to express any opinion with regard to the genuineness or otherwise of the said allegations. But, when a written representation has been made before the Commissioner of Police about the interference of the police in the personal life and liberty of the petitioner and in civil disputes, it is for the Commissioner of Police to consider and take appropriate action accordingly.

Having regard to the facts of the case, the writ petition is disposed of directing the 4th respondent-Commissioner of Police, Hyderabad to consider and dispose of the written representation of the petitioner, dated 26.06.2007 said to have been sent by certificate of posting by taking appropriate action in accordance with law with regard to the alleged interference by the concerned police personnel. No costs.

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V.ESWARAIAH, J.

Date:03.07.2007
ccm